

No. 236 262967 12

**Jessica Berg and Robert Berg,**  
***Plaintiffs,***

v.

**Bank of America, N. A.,**  
**and**  
**Barrett Daffin Frappier Turner & Engel,**  
**LLP,**  
***Defendants***

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**In the District Court**

**Tarrant County, Texas**

236 Judicial District

**TEMPORARY RESTRAINING ORDER**

The application of Jessica Berg and Robert Berg, Plaintiffs, for a Temporary Restraining Order came on to be heard ex parte on the date of signing of this Order. The said Plaintiffs appeared by attorney of record, the Court heard argument by such counsel, and the matter was taken under submission by the Court. The Court after due consideration finds and determines, having examined the verified complaint of the Plaintiffs, that the Plaintiffs are entitled to a temporary restraining order and that unless Defendant **Bank of America, N. A.** is immediately restrained from the commission of the acts hereinafter prohibited, such Defendant will commit such acts before notice of the hearing on temporary injunction can be served and a hearing had.

IT IS THEREFORE ORDERED that the Clerk of this Court issue a temporary restraining order restraining **Bank of America, N. A.**, and Defendant **Bank of America, N. A.** is hereby immediately restrained from:

- 1) directly or indirectly threatening or effecting any trustee's sale or other foreclosure action, or any action seeking to taking possession of real property described as Lot 4, Block 3, VILLAGES OF FAIRFIELD, SECTION ONE, an Addition to the City

TEMPORARY RESTRAINING ORDER

Court's Minutes  
Transaction #12R

COPIES TO: Brinkley  
☐ IN PERSON or IN COURT ☐ w/NOTICE  
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☐ OTHER 11/28/12 ☐ w/NOTICE



of Arlington, Tarrant County, Texas, according to the map or plat thereof recorded in Cabinet A, Slide 998, of the Plat Records of Tarrant County, Texas, and known locally as 210 Chasemore Lane, Arlington, Texas 76018 (the "Property");

- 2) pursuing any other activity to seek or effect a foreclosure as to the Property or an eviction of Plaintiffs or the removal from the Property of any personal property of Plaintiffs;
- 3) interfering in any way with the provision of utility services to the Property in Plaintiffs' name and/or for the benefit of Plaintiffs;
- 4) destroying, removing, or secreting documents and records related to the issues underlying the claims, assertions and/or causes of action set forth in the above styled cause..

Defendant **Bank of America, N. A.** is ORDERED to communicate with any agent acting on its behalf, and any peace officer or other officer of the State of Texas or any subdivision thereof, that they are not to effect any action leading to or in any way effecting a foreclosure as to the Property, nor an eviction of Plaintiff or of Plaintiff's property, or of other persons, from the Property.

This restraining order is effective immediately and shall continue in force and effect until further order of this Court or until it expires by operation of law.

This order shall be binding on **Bank of America, N. A.**, Defendant; on its agents, servants and employees; and on those persons in active concert or participation with them who receive actual notice of this order by personal service or otherwise.

This Order shall not be effective unless and until Plaintiffs execute and file with the Clerk a bond, in conformity with the law, in the amount of One Thousand  
DOLLARS (\$ 1,000 ).

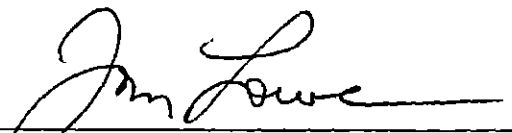
IT IS FURTHER ORDERED that the Clerk shall issue notice to **Bank of America, N. A.**

and the same Defendant is hereby ORDERED to appear before this Court at 401 West Belknap Street / 200 East Weatherford Street, Fort Worth, Texas, on December 11, 2012, at 2:00 o'clock


p.m. The purpose of the hearing is to determine whether, during the pendency of this case:

1. the preceding temporary restraining order should be made a temporary injunction pending final hearing hereon;
2. the Court should make such other and further orders respecting the Property as may be deemed necessary and equitable.

SIGNED this 22 day of November, 2012, at 3:30 o'clock p.m.

  
JUDGE PRESIDING

Submitted by:

  
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